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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 WILLIAM PATRICK GARCIA,

12 Plaintiff,

13 v.

14 B. DENBERG¹, et al.,

15 Defendants.
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No. 2:23-CV-2098-DMC-P

ORDER GRANTING IN FORMA PAUPERIS
STATUS AND DIRECTING PAYMENT OF
FILING FEES

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to
18 42 U.S.C. § 1983. Pending before the Court is Plaintiff's motion for leave to proceed in forma
19 pauperis, ECF No. 7. Plaintiff has submitted a declaration that makes the showing required by 28
20 U.S.C. § 1915(a). The request to proceed in forma pauperis will, therefore, granted.

21 To: The California Department of Corrections and Rehabilitation
22 1515 S Street, Sacramento, California 95814:

23 Plaintiff is obligated to pay the full statutory filing fee of \$350.00 for this action.
24 In addition to any initial partial filing fee required to be assessed, Plaintiff will be obligated to
25 make monthly payments in the amount of twenty percent of the preceding month's income
26 credited to Plaintiff's inmate trust account. The agency referenced above is required to send to
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28 ¹ Plaintiff has filed a motion to correct, ECF No. 6, to reflect that the correct name for the lead
defendant is B. DENBERG. The Court's prior order, ECF No. 5, incorrectly listed this defendant as D. DENBERG.

1 the Clerk of the Court the initial partial filing fee and thereafter payments from Plaintiff's inmate
2 trust account each time the amount in the account exceeds \$10.00, until the statutory filing fee of
3 \$350.00 is paid in full. See 28 U.S.C. § 1915(b)(2).

4 Accordingly, IT IS HEREBY ORDERED that:

5 1. Plaintiff's motion for leave to proceed in forma pauperis, ECF No. 7, is
6 granted;

7 2. Plaintiff is required to pay the full statutory filing fee of \$350.00 for this
8 action pursuant to 28 U.S.C. §§ 1914(a) and 1915(b)(1);

9 3. The director of the agency referenced above, or a designee, shall collect
10 from Plaintiff's inmate trust account an initial partial filing fee in accordance with the provisions
11 of 28 U.S.C. § 1915(b)(1) and shall forward the amount to the Clerk of the Court, such payment
12 to be clearly identified by the name and number assigned to this action;

13 4. Thereafter, the director of the agency referenced above, or a designee, shall
14 collect from Plaintiff's inmate trust account the balance of the filing fee by collecting monthly
15 payments from Plaintiff's inmate trust account in an amount equal to twenty percent (20%) of the
16 preceding month's income credited to Plaintiff's inmate trust account and forwarding payments to
17 the Clerk of the Court each time the amount in the account exceeds \$10.00 in accordance with 28
18 U.S.C. § 1915(b)(2), until the \$350.00 filing fee for this action has been paid in full, such
19 payments to be clearly identified by the name and number assigned to this action;

20 5. The Clerk of the Court is directed to serve a copy of this order and a copy
21 of Plaintiff's signed in forma pauperis affidavit to the address shown above; and

22 6. The Clerk of the Court is directed to serve a copy of this order on the
23 Financial Department of the Court.

24 7. Plaintiff's motion to correct, ECF No. 6, is granted.

25
26 Dated: December 5, 2023



27 DENNIS M. COTA
28 UNITED STATES MAGISTRATE JUDGE